



3714
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PATENT
Serial No. 10/087,977

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT
APPLICATION OF: David D. Rowley, *et al.*
SERIAL NO.: 10/087,977
FILING DATE: March 5, 2002
ART UNIT: 3714
EXAMINER: John E. Rovnak
ASSIGNEE: Novell, Inc.
FOR: SYSTEM AND METHOD FOR EVALUATING A PERSON'S INFORMATION
TECHNOLOGY SKILLS

MAIL STOP PETITION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR CORRECTION OF INVENTORSHIP IN A PATENT APPLICATION UNDER 37 C.F.R. §1.48(a)

Sir:

Applicants hereby submit this petition under 37 C.F.R. §1.48(a) to correct the inventorship in the above-identified patent application by adding Sean D. Gale as an inventor. Through an error, that arose without any deceptive intention on his part, Sean D. Gale was not named as an inventor in the above-identified patent application.

In accordance with 37 C.F.R. §1.48(a), Applicants hereby submit:

- A. A statement from Sean D. Gale (who is being added as an inventor) that the inventorship error occurred without any deceptive intention on his part.
- B. A joint oath and declaration executed by the actual inventors: David D. Rowley, Thomas K. Christensen, Jeffrey A. Fischer, Craig R. Jenkins, Keith L. Jenkins and Sean D. Gale.

- C. Written consent from the assignee, Novell, Inc., of Provo, Utah.
- D. A statement under 37 C.F.R. § 3.73(b).
- E. A check in the amount of \$130.00 as the fee set forth in 37 C.F.R. §1.17(h). The Commissioner is authorized to charge any further fees or credit any overpayments to Deposit Account No. 50-0311, Reference No. 23415-014.

CONCLUSION

On the basis of the foregoing, the Applicants respectfully request the granting of this Petition for Correction of Inventorship. An Assignment executed by Sean D. Gale is being filed separately. Applicants invite the Examiner to telephone the undersigned, should the Examiner have any questions concerning this petition.

Respectfully submitted,

MINTZ, LEVIN, COHN, FERRIS, GLOVSKY, AND POPEO, PC

By:



Sean L. Ingram
Registration No. 48,283
for: James G. Gatto
Registration No. 32,694

Date: July 7, 2004

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STATEMENT OF SEAN D. GALE

Sir:

I, Sean D. Gale, hereby declare as follows:

1. I have read the above-identified application for patent.
2. I am an inventor of at least one claim in the above-identified application for patent.
3. The omission of my name as an inventor occurred without any deceptive intention on my part.

Date: 6/22/04


Sean D. Gale



**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

As the below named inventors, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a utility patent is sought on the invention entitled:

**SYSTEM AND METHOD FOR EVALUATING A
PERSON'S INFORMATION TECHNOLOGY SKILLS**

the specification of which was filed on March 5, 2002, as United States Non-Provisional Application No. 10/087,977 bearing Attorney Docket No. 23415-014.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims.

We acknowledge the duty to disclose information that is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

We hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application designating at least one country other than the United States listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Appln. Number	Country (if PCT, so indicate)	Filing Date (dd/mm/yy)	Priority Claimed	
			Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

We hereby claim the benefit under Title 35, United States Code, § 119(e) or §120 of any United States application(s), or §365(c) of any PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

Application No. (U.S.S.N.)	Filing Date (dd/mm/yy)

We hereby appoint the attorneys and/or agents associated with Mintz Levin Cohn Ferris Glovsky & Popeo, Customer Number

29315

and Patrick McBride, Registration No. 39,295, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please address all telephone calls to James G. Gatto at telephone number 703-464-8182, and address all correspondence to:

Customer No. 29315

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or patent issued thereon.

David D. Rowley
First Inventor's Signature

Full Name of Inventor: David D. Rowley
 Citizenship: U.S.A.
 Residence: 128 North 700 West
 Spanish Fork, UT 84660
 Mailing Address: Same as above

23 June 2004
Date

Thomas K. Christensen
Second Inventor's Signature

Full Name of Inventor: Thomas K. Christensen
 Citizenship: U.S.A.
 Residence: 629 North 100 West
 Santaquin, UT 84655
 Mailing Address: Same as above

30 June 2004
Date



Third Inventor's Signature

Full Name of Inventor: Jeffrey A. Fischer
Citizenship: U.S.A.
Residence: 114 North 2560 West
Provo, UT 84601
Mailing Address: Same as above

6-22-2004

Date



Fourth Inventor's Signature

Full Name of Inventor: Craig R. Jenkins -
Citizenship: U.S.A.
Residence: 965 East 1200 North
Orem, UT 84097
Mailing Address: Same as above

6-28-2004

Date



Fifth Inventor's Signature

Full Name of Inventor: Keith L. Jenkins
Citizenship: U.S.A.
Residence: ~~2306 North 940 E.~~ ~~Lehi, UT 84043~~ 1861 Tuscan Way
~~Lehi, UT 84043~~ Pleasant Grove, UT 84062
Mailing Address: Same as above

6-30-2004

Date



Sixth Inventor's Signature

Full Name of Inventor: Sean D. Gale
Citizenship: U.S.A.
Residence: 388 East 1840 North
Pleasant Grove, UT 84062
Mailing Address: Same as above

6/22/2004

Date

RES 114224v1



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**CONSENT OF ASSIGNEE TO CHANGE OF INVENTORSHIP
IN PATENT APPLICATION**

Sir:

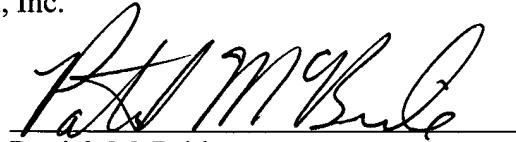
Novell, Inc. is the assignee of the entire, right, title and interest to the above-referenced patent application through an assignment filed in the U.S. Patent and Trademark Office on June 5, 2002.

Novell, Inc., as assignee of the entire right, title and interest, hereby consents to the amendment of the inventorship of this patent as requested in the accompanying papers.

Respectfully submitted,

Novell, Inc.

By:



Patrick McBride
Registration No. 39,295
Intellectual Property Counsel



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STATEMENT UNDER 37 C.F.R. §3.73(b)

Sir:

Novell, Inc., a Utah corporation, states that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from all of the inventors listed in the patent application identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 012963, Frame 0654.

The undersigned is authorized to act on behalf of the assignee.

Respectfully submitted,

Patrick McBride
Registration No. 39,295
Intellectual Property Counsel